

**Notice of Allowability**

Application No.

10/523,288

Examiner

John Bastianelli

Applicant(s)

DREISILKER ET AL.

Art Unit

3751

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the filing of February 3, 2005.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**JOHN BASTIANELLI**  
**PRIMARY EXAMINER**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen B. Salai on March 16, 2006.

The application has been amended as follows:

On page 1, above line 1 beginning, "The present invention", insert the heading --BACKGROUND OF THE INVENTION--.

On page 2, above line 4 beginning, "The object of the present invention", insert the heading --SUMMARY OF THE INVENTION--.

On page 2, line 9 of the claim, after "features of", change "claim 1" to --the following disclosed invention--.

On page 6, above line 4 beginning, "The various features", insert the heading --BRIEF DESCRIPTION OF THE DRAWINGS--.

On page 6, above line 28 beginning, "The butterfly valve as shown", insert the heading --DETAILED DESCRIPTION OF THE INVENTION--.

In claim 1, line 2 of the claim, before "inside a", delete "in particular inside a cabin of an aircraft".

In claim 3, line 4 of the claim, after "90%", delete ", preferably about 50%,."

In claim 12, line 3 of the claim, after “about 15°”, delete “, preferably between about 5° and 10°”.

Add claim 13, --The butterfly according to claim 3, wherein the contact face extends from the proximal end towards the distal end covering about 50% of the inner surface along the vertical axis extending orthogonal to the longitudinal axis of the valve housing.--

Add claim 14, The butterfly valve according to claim 12, wherein the angle of inclination ( $\gamma$ ) is between about 5° and about 10°.

### ***Reasons for Allowance***

2. The following is an examiner’s statement of reasons for allowance: The primary reason for the allowance of the claims is a butterfly valve having a closure member consisting of abutting first and second disks symmetrically arranged with regard to a symmetric axis at an angle of inclination to the rotational axis in combination with a contact face having a main portion extending parallel to the symmetric axis and a supplemental portion at an angle to the symmetric axis.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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*Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ludeman, Royalty, Kollberg, Jensen, Wilson, Castriota, Salerno, Schaeffer, and Stevens disclose butterfly valves at angles to the rotational axis.

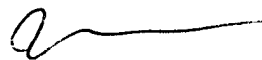
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Bastianelli whose telephone number is (571) 272-4921. The examiner can normally be reached on M-F (9:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JB  
March 16, 2006



John Bastianelli  
Primary Examiner  
Art Unit 3751